

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7770

Joint Petition of Central Vermont Public Service Corporation)
("CVPS"), Danaus Vermont Corp., Northern New England)
Energy Corporation ("NNEEC") for itself and as agent for Gaz)
Metro Limited Partnership and its parents, Green Mountain)
Power Corporation ("GMP") and Vermont Low Income Trust)
for Electricity, Inc. ("VLITE"), for approval of: (1) the merger)
of Danaus into and with CVPS; (2) the acquisition by NNEEC)
of CVPS and certain other Vermont companies; (3) the)
amendment to CVPS's Articles of Association; (4) the merger)
of CVPS into and with GMP; and (5) the acquisition by)
VLITE of a controlling interest in Vermont Electric Power)
Company, Inc.)

Order entered: 9/27/2011

PREHEARING CONFERENCE MEMORANDUM AND SCHEDULING ORDER

Central Vermont Public Service Corporation ("CVPS"), Green Mountain Power Corporation ("GMP"), Vermont Low-Income Trust for Electricity, Inc. ("VLITE"), Danaus Vermont Corp, ("Danaus"), and Northern New England Energy Corporation ("NNEEC"), on behalf of itself and as agent for other companies, (collectively, the "Petitioners") jointly filed a petition (along with prefiled testimony in support of the petition) with the Public Service Board ("Board") on September 2, 2011. The petition seeks the Board's approval of the proposed acquisition of CVPS by a subsidiary of Gaz Métro Limited Partnership ("GMLP"), the merger of CVPS with GMP and certain other related transactions and matters.

The Board convened a prehearing conference on September 21, 2011. The following parties entered appearances: John Beling, Esq., for the Vermont Department of Public Service ("Department"); Kimberly Hayden, Esq., Downs Rachlin Martin PLLC, for CVPS; Peter Zamore, Esq., Sheehey Furlong & Behm P.C. for GMP, VLITE, Danaus and NNEEC; and James A. Dumont, Esq., for AARP.

Prior to the prehearing conference, AARP filed a motion to intervene in this proceeding. In the absence of any objection from the parties, the Board granted AARP's request for intervention by permission under Board Rule 2.209(B) at the prehearing conference.

The Petitioners agreed to file an amended petition with the Board by September 28, 2011, on the basis of the Petitioners' response of September 19 to the Board's memorandum of September 9, 2011, and the Board's Order of June 10, 2011, in Docket No. 7734. GMLP and its general partner, Gaz Métro inc., will be added as direct petitioners, and the amended petition will clarify that NNEEC is acting for itself and as agent for each of the entities identified in footnote 10 to the Petitioners' September 19 response.¹

At the prehearing conference, the parties indicated that they had no objections to a proposed schedule the Petitioners had previously circulated. The public hearing date was set as November 1, 2011, and will be held at 7:30 P.M. via Vermont Interactive Television ("VIT").² The Board directed CVPS and GMP to include notice of the public hearing with their customer bills.

The Board adopts the proposed schedule for this proceeding with certain modifications as set forth below:

Prehearing Conference	September 21, 2011
Amended Petition	September 28, 2011
Informal Workshop	To Be Determined
Deadline for Motions to Intervene	To Be Determined
Responses to Motions to Intervene	To Be Determined
1 st Round of Discovery Requests on Petitioners	October 7, 2011
Petitioners' 1 st Round Discovery Responses	October 21, 2011
2 nd Round of Discovery Requests on Petitioners	October 28, 2011
Public Hearing via VIT	November 1, 2011

1. In addition to the amended petition, the Petitioners will file documentation certifying to the appointment of NNEEC as agent for the purpose of the Section 107 requests and acknowledging the jurisdiction of the Board so far as it relates to the direct or indirect acquisition of a controlling interest in a company that is otherwise subject to the jurisdiction of the Board.

2. VIT sites in the following towns will be used for the public hearing: Bennington, Brattleboro, Castleton, Johnson, Lyndonville, Middlebury, Montpelier, Newport, Randolph, Rutland, Springfield, St. Albans, White River Junction and Williston.

Petitioners' 2 nd Round Discovery Responses	November 10, 2011 ³
Non-Petitioners' Direct Testimony	November 18, 2011
Discovery Requests on Non-Petitioners' Testimony	November 23, 2011 ⁴
Non-Petitioners' Discovery Responses	December 9, 2011
Petitioners' Rebuttal Testimony	December 16, 2011
Discovery Requests on Petitioners' Rebuttal Testimony	December 23, 2011
Petitioners' Discovery Responses	January 6, 2012
Surrebuttal Testimony by Non-Petitioners	January 13, 2012
Discovery requests on Non-Petitioners' Surrebuttal Testimony	January 20, 2012
Non-Petitioners' Discovery responses	February 3, 2012
Technical Hearings	Week of February 13, 2012
Briefs	March 16, 2012
Reply Briefs	March 30, 2012

The date for the informal workshop and the deadline for intervention motions has not yet been set. The Petitioners intend to propose dates for an informal workshop to be held as soon as is reasonably possible.⁵ If feasible, the deadline for intervention motions (which will be no earlier than October 5) will not occur until at least one day after the informal workshop is held.

Finally, we require that parties provide an electronic copy of all testimony, motions and responses, and briefs (e-mail submission is acceptable), in addition to paper filings. If the electronic copies are submitted in .pdf format, they must be submitted in a form that permits the Board and other parties to search the document and extract text. In addition, we request that the parties provide an electronic copy of all discovery requests and responses to the Board.

3. The date proposed by the Petitioners (November 11) is a holiday (Veterans Day).

4. Most state offices will be closed on November 25, the day after Thanksgiving, which was the date proposed by the Petitioners.

5. By memorandum dated September 22, 2011, the Board has provided the parties with a list identifying, on a very preliminary basis, some specific areas of interest that might be addressed by the parties at the informal workshop as well as in subsequent prefiled testimony.

SO ORDERED.

Dated at Montpelier, Vermont, this 27th day of September, 2011.

<u>s/James Volz</u>)	
)	PUBLIC SERVICE
)	
<u>s/David C. Coen</u>)	BOARD
)	
)	OF VERMONT
<u>s/John D. Burke</u>)	

OFFICE OF THE CLERK

FILED: September 27, 2011

ATTEST: s/Susan M. Hudson
Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)